



PATENT
Attorney Docket No. 224491

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Rahman et al.

Group Art Unit: 1614

Application No.: 10/717,378

Examiner: Unassigned

Filing Date: November 19, 2003

For: LIPOSOMAL FORMULATION OF
IRINOTECAN

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

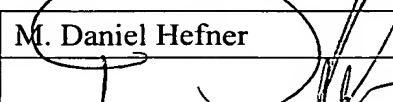
Applicant(s) hereby respond(s) to the Notice to File Missing Parts of Application dated September 10, 2004.

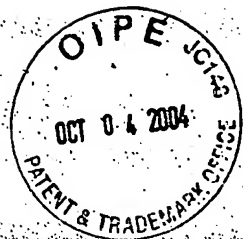
The Notice of Missing Parts recites that the Oath or Declaration is missing. Applicants respectfully note that a Combined Declaration and Power of Attorney was filed with the application as filed. As evidence of the same, applicants enclose a copy of the Combined Declaration and Power of Attorney, and a copy of the return postal card noting that the Combined Declaration and Power of Attorney was filed and bearing the stamp of the U.S. Patent and Trademark Office. Accordingly, it is submitted that no new Oath is required, nor is a fee due in response to the Notice to File Missing Parts. However, if, in the opinion of the Office, any fee is required in connection with this communication, please charge Deposit Account No. 12-1216. A duplicate of this transmittal is attached.

By: _____

M. Daniel Hefner, Reg. No. 41,826
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: October 4, 2004

CERTIFICATE OF MAILING UNDER 37 CFR 1.10			
I hereby certify that this Response to Missing Parts and all accompanying documents are being deposited with the United States Postal Service on the date indicated below, in an envelope as "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR 1.10, Mailing Label Number EV336875891US, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Name (Print/Type)	M. Daniel Hefner		
Signature		Date	October 4, 2004



BEST AVAILABLE COPY

THE PATENT AND TRADEMARK OFFICE IS RESPECTFULLY REQUESTED TO PLACE ITS STAMP ON THIS POSTAL CARD AND PLACE IT IN THE OUTGOING MAIL TO SHOW THE FOLLOWING PAPERS HAVE BEEN RECEIVED.

Mailed November 19, 2003 via Express Mail EV 336875335 US
224491-NeoPharm

MDH/cm

22390 U.S. PTO

10/717378

In re Application of Rahman et al. Filed November 19, 2003
For: LIPOSOMAL FORMULATION OF IRINOTECAN
U.S. Utility Continuation Patent Application No. Unassigned



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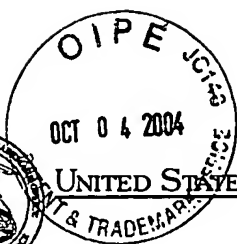
Enclosed: Utility Transmittal (2 pgs in duplicate); Application Data Sheet (2 pages); Specification including Claims and Abstract (12 pgs); Combined Declaration for Utility or Design Patent Application and Power of Attorney (2 pages); Information Disclosure Statement (4 pages); Form 1449 (1 page); Copies of Cited References AA - AE and Search Report; and this return postcard.

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/717,378	11/19/2003	Aquilur Rahman	224491

CONFIRMATION NO. 6704

000023460
LEYDIG VOIT & MAYER, LTD
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO, IL 60601-6780

FORMALITIES LETTER



OC000000013777449

Date Mailed: 09/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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10/07/2004

RHEBRIHT

01 FC:2051

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*A copy of this notice **MUST** be returned with the reply.*

T.TU

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE